



## UNITED STATES PATENT AND TRADEMARK OFFICE

H3  
 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/043,673         | 01/09/2002          | Brian Shuster         | 4633P011               |

CONFIRMATION NO. 8378

08791  
 BLAKELY SOKOLOFF TAYLOR & ZAFMAN  
 12400 WILSHIRE BOULEVARD, SEVENTH FLOOR  
 LOS ANGELES, CA 90025

## FORMALITIES LETTER



\*OC00000007449146\*

Date Mailed: 02/08/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
 Initial Patent Examination Division (703) 308-1202

*Janayle A.*  
 PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/19/2002 AOSMAN1 00000013 10043673

01 FC:105

130.00 0P

Attorney Docket No.: 4633P011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APR 17 2002

In re the Application of:

ATTORNEY  
PATENT & TRADEMARK OFFICE  
BRENT HUSTLER, ET AL.

Application No.: 10/043,673

Filed: January 09, 2002

For: **METHOD AND APPARATUS FOR REMOTE  
DATA COLLECTION OF PRODUCT  
INFORMATION USING A COMMUNICATIONS  
DEVICE**

Assistant Commissioner for Patents  
Attention: Box Missing Parts  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Sir:

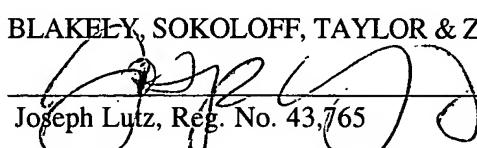
In response to the Notice to File Missing Parts of Application mailed February 8, 2002, please find enclosed:

- (1) a duly executed Declaration and Power of Attorney with respect to the above-referenced patent application;
- (2) a check in the amount of \$130.00 in payment of the surcharge of 37 CFR § 1.16(e); and
- (3) a copy of the Notice to File Missing Parts of Application.

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of the Fee Transmittal is enclosed for deposit account charging purposes.

Respectfully submitted,

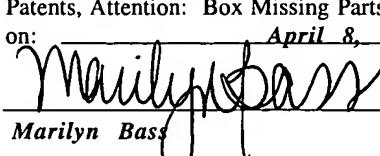
BLAKELEY, SOKOLOFF, TAYLOR & ZAFMAN

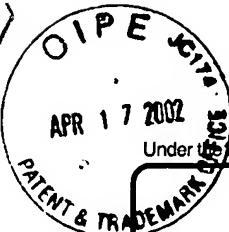
  
Joseph Lutz, Reg. No. 43,765

Dated: April 8, 2002

12400 Wilshire Blvd., 7th Floor  
Los Angeles, California 90025  
Telephone: (310) 207-3800

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Attention: Box Missing Parts, Washington, D.C. 20231 on: April 8, 2002

  
Marilyn Bass Date  
04/08/02



SM

PTO/SB/21(08/00)

Approved for use through 19/30/2000. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

MP J

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|  |    |                        |                 |
|--|----|------------------------|-----------------|
|  |    | Application Number     | 10/043,673      |
|  |    | Filing Date            | January 9, 2002 |
|  |    | First Named Inventor   | Brian Shuster   |
|  |    | Group Art Unit         | 2152            |
|  |    | Examiner Name          | TBD             |
| Total Number of Pages in This Submission | 10 | Attorney Docket Number | 4633P011        |

| ENCLOSURES (check all that apply)   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form                                | <input type="checkbox"/> Assignment Papers (for an Application)   | <input type="checkbox"/> After Allowance Communication to Group                            |
| <input checked="" type="checkbox"/> Fee Attached  | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input type="checkbox"/> Amendment / Response   | <input type="checkbox"/> Licensing-related Papers   | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final  | <input type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                                      | <input type="checkbox"/> Petition to Convert a Provisional Application  | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request                                      | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address   | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):            |
| <input type="checkbox"/> Express Abandonment Request                                    | <input type="checkbox"/> Terminal Disclaimer  |  |
| <input type="checkbox"/> Information Disclosure Statement                               | <input type="checkbox"/> Request for Refund   |  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                         | <input type="checkbox"/> CD, Number of CD(s) _____  |  |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application              |   |  |
| <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | Remarks   | Return Receipt Postcard  |
|   | Resp. to Missing Parts includes: Response to Notice to File Missing Parts (1 pg), Signed and dated Declaration/Power of Attorney (5 pp) and copy of Notice to File Missing Parts (1 pg) |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |  |
|--|--|
| Firm or Individual name                    | Joseph Lutz, Reg. No. 43,765<br>BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN |
| Signature                                  |  |
| Date                                       | April 8, 2002  |

| CERTIFICATE OF MAILING (OR TRANSMISSION)   |              |
|--|--------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on: April 8, 2002 |              |
| Typed or printed name  | Marilyn Bass |
| Signature  |              |
| Date   | 04/08/02     |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

APR 17 2002

PTO/SB/17 (10-01)  
Approved for use through 10/31/2002. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**FEET TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

130.00

**Complete If Known**

|                        |                       |
|------------------------|-----------------------|
| Application Number     | 10/043,673            |
| Filing Date            | 01/09/02              |
| First Named Inventor   | Brian Shuster, et al. |
| Examiner Name          | TBD                   |
| Group Art Unit         | 2152                  |
| Attorney Docket Number | 4633P011              |

**METHOD OF PAYMENT (check all that apply)**
 Check  Credit Card  Money Order  Other  None
 Deposit Account

Deposit Account Number

02-2666

Deposit Account Name

Blakely, Sokoloff, Taylor &amp; Zafman

The Commissioner is authorized to: (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments Charge any additional fee(s) during the pendency of this application. Charge fee(s) indicated below, except for the filing fee, to the above-identified deposit account**FEE CALCULATION (continued)****3. ADDITIONAL FEE**

| Large Entity              | Small Entity | Fee Description   | Fee Paid |
|---------------------------|--------------|---|----------|
| Fee Code                  | Fee Code     | Fee Description   |          |
| 105                       | 130          | 205 65 Surcharge - late filing fee or oath  | 130      |
| 127                       | 50           | 227 25 Surcharge - late provisional filing fee or cover sheet.                    |          |
| 139                       | 130          | 139 130 Non-English specification   |          |
| 147                       | 2,520        | 147 2,520 For filing a request for ex parte reexamination                         |          |
| 112                       | 920          | 112 920 Requesting publication of SIR prior to Examiner action                    |          |
| 113                       | 1,840        | 113 1,840 Requesting publication of SIR after Examiner action                     |          |
| 115                       | 110          | 215 55 Extension for response within first month                                  |          |
| 116                       | 400          | 216 200 Extension for response within second month                                |          |
| 117                       | 920          | 217 460 Extension for response within third month                                 |          |
| 118                       | 1,440        | 218 720 Extension for response within fourth month                                |          |
| 128                       | 1,960        | 228 980 Extension for response within fifth month                                 |          |
| 119                       | 320          | 219 160 Notice of Appeal  |          |
| 120                       | 320          | 220 160 Filing a brief in support of an appeal                                    |          |
| 121                       | 280          | 221 140 Request for oral hearing  |          |
| 138                       | 1,510        | 138 1,510 Petition to institute a public use proceeding                           |          |
| 140                       | 110          | 240 55 Petition to revive - unavoidably   |          |
| 141                       | 1,280        | 241 640 Petition to revive - unintentionally                                      |          |
| 142                       | 1,280        | 242 640 Utility issue fee (or reissue)  |          |
| 143                       | 460          | 243 230 Design issue fee  |          |
| 144                       | 620          | 244 310 Plant issue fee   |          |
| 122                       | 130          | 122 130 Petitions to the Commissioner   |          |
| 123                       | 50           | 123 50 Petitions related to provisional applications                              |          |
| 126                       | 180          | 126 180 Submission of Information Disclosure Stmt                                 |          |
| 581                       | 40           | 581 40 Recording each patent assignment per property (times number of properties) |          |
| 146                       | 740          | 246 370 Filing a submission after final rejection (37 CFR 1.129(a))               |          |
| 149                       | 740          | 249 370 For each additional invention to be examined (37 CFR 1.129(b))            |          |
| 179                       | 740          | 279 370 Request for Continued Examination (RCE)                                   |          |
| 169                       | 900          | 169 900 Request for expedited examination of a design application                 |          |
| Other fee (specify) _____ |              |   |          |

\* Reduced by Basic Filing Fee Paid **SUBTOTAL (3) (\$)** 130.00**SUBMITTED BY****Complete (if applicable)**

|                       |   |                                      |  |           |                |
|-----------------------|---|--------------------------------------|--|-----------|----------------|
| Typed or Printed Name | Joseph Lutz, Reg. No. 43,765  | Registration No.<br>(Attorney/Agent) |  | Telephone | (310) 207-3800 |
| Signature             |  |                                      |  | Date      | 04/08/02       |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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